

REMARKS/ARGUMENTS

Reconsideration and continued examination of the above-identified application are respectfully requested.

In the amendment, claims 2 and 19 have been canceled. The subject matter of claims 2 and 19 have been incorporated into claim 1. Furthermore, claim 21 has been amended so that it is now an independent claim that includes the language of original claim 2. Further, antecedent basis has been set forth in claims 17, 30, 31, 32, and 34 as requested by the Examiner. The remaining amendments to the claims are made for editorial or for consistency purposes due to the above amendments. Full support for this amendment can be found in the present application, especially the claims as originally filed. Accordingly, entry of this amendment is respectfully requested.

At page 2 of the Office Action, the Examiner objects to Figure 5 because the Examiner believes Labels 65 and 70 point to the same feature. The Examiner has requested a corrected drawing. For the following reasons, this objection is respectfully traversed.

In response, it appears that, based on a review of Fig. 5, labels 65 and 70 do not point to the same feature. To assist the Examiner, a new Fig. 5 is being submitted which clearly identifies Label 70 as the damaged heart valve, while Label 65 is the armature. In this drawing, the line associated with Label 70 has simply been made clearer to show that Label 65 is pointing to a different feature than Label 70. Accordingly, this objection to the drawing should be withdrawn and amended Fig. 5 accepted.

At page 3 of the Office Action, the Examiner rejects claims 17 and 30-35 under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner indicates that there is insufficient antecedent basis in claims 17 and 30-35 for various features. For the following reasons, this rejection is respectfully traversed.

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As discussed above, claims 17, 30, 31, 32, and 34 have been amended to address this antecedent basis concern. The scope of the claims remains the same in view of these amendments. Accordingly, this rejection should be withdrawn.

At page 3 of the Office Action, the Examiner rejects claims 1, 2, 4-9, 11, 12, and 15-17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,238,412 B1 to Dubrul et al. in view of U.S. Patent No. 4,747,405 to Leckrone. The Examiner asserts that Dubrul et al. shows a device for use in a vessel comprising concentric elongated members which the Examiner believes are capable of rotation within a vessel. The Examiner further notes that the members may be directed over a guide wire. The Examiner further asserts that Dubrul et al. shows a laser means that can be included, but does not disclose the specifics of the laser placement. The Examiner then relies on Leckrone to show a catheter for use in removing vessel occlusions using a laser that is displaced radially from the axis of the catheter. For the following reasons, this rejection is respectfully traversed.

While it is not clear that one skilled in the art would be capable of incorporating the features of Leckrone into Dubrul et al., to further the prosecution of this application, the subject matter of claims 2 and 19 have been incorporated into claim 1 since the Examiner has indicated that claim 19 is objected to. Furthermore, claim 21, which has been indicated as being "allowed," has been amended to be an independent claim and incorporates the language of claims 2 and 1. Accordingly, this rejection should be withdrawn.

At page 4 of the Office Action, the Examiner does indicate that claims 21-25 are allowed and that claims 3, 10, 13, 14, 18-20, and 26-29 are objected to and that claims 30-35 would be allowable once the §112 rejection is overcome. The applicant appreciates the Examiner's indication of this allowable subject matter. In view of the above comments and amendments, all claims should

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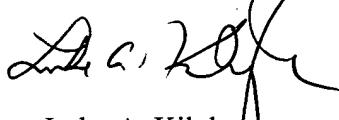
now be allowed or allowable.

CONCLUSION

In view of the foregoing remarks, the applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,



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Attachment: Replacement Sheet (Fig. 5)

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AMENDMENT TO THE DRAWINGS:

The attached sheet of drawing for Fig. 5 is a replacement drawing for Fig. 5.

Attachment: Replacement Sheet containing Fig. 5.